

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
NORTHERN DIVISION

MICHELLE VAN BUREN,  
personal representative for the  
estate of William Reddie,

Plaintiff,

Case No. 13-14565  
Honorable Thomas L. Ludington

v.

CRAWFORD COUNTY, CITY OF  
GRAYLING, JOHN KLEPADLO,  
and ALAN SOMERO,

Defendants.

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**ORDER GRANTING MOTION TO AMEND/CORRECT AMENDED COMPLAINT  
AND STRIKING PARAGRAPH 23 OF AMENDED COMPLAINT**

William Reddie's mother, Michelle Van Buren, filed a complaint against the City of Grayling, Michigan, Crawford County, and two law enforcement officers after her son was shot and killed on February 3, 2012. Van Buren later filed an amended complaint which added as Defendants two DHS employees, both of whom have since been dismissed from the case. *See* May 29, 2014 Op. & Order, ECF No. 26.

On June 20, 2014, Van Buren filed a motion to correct her amended complaint. She indicates that she intended to remove paragraph 23 before filing, "but due to a clerical error and inadvertent oversight, that change was not made." Pl.'s Mot. 2, ECF No. 29. The proposed change is important because Reddie was shot after he allegedly pulled a knife on police officers that had entered his home to take his son into protective custody. In paragraph 23 of the amended complaint, Van Buren admits that "[a]t the thought of losing his son, William Reddie,

became visibly upset and he pulled out a closed pocket knife from his pants pocket.” Pl.’s Am. Compl. ¶ 23, ECF No. 8.

Under the Court’s Local Rules, a response to Van Buren’s motion was due on or before July 7, 2014. *See* E.D. Mich. LR 7.1(e)(2)(B) (“A response to a nondispositive motion must be filed within 14 days after service of the motion.”). As of today’s date, the Defendants have not responded to Van Buren’s motion, or in any way contested the relief she seeks. Federal Rule of Civil Procedure 15(a)(2) provides that a party may amend its pleading with the Court’s leave, and the Court “should freely give leave when justice so requires.” Fed. R. Civ. P. 15(a)(2). Because the Defendants have not indicated why leave should not be granted here—indeed, they have not even responded to Van Buren’s motion—the Court will allow Van Buren to correct her amended pleading.

Accordingly, it is **ORDERED** that Van Buren’s motion for leave to correct her complaint, ECF No. 29, is **GRANTED**.

It is further **ORDERED** that paragraph 23 of Van Buren’s amended complaint, ECF No. 8, is deemed **STRICKEN**.

Dated: July 22, 2014

s/Thomas L. Ludington  
THOMAS L. LUDINGTON  
United States District Judge

**PROOF OF SERVICE**

The undersigned certifies that a copy of the foregoing order was served upon each attorney or party of record herein by electronic means or first class U.S. mail on July 22, 2014.

s/Tracy A. Jacobs  
TRACY A. JACOBS